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In re Application of
LECHLER et al.
Application No. 09/674,462
PCT No.: PCT/GB99/01350
Int. Filing Date: 30 April 1999
Priority Date: 30 April 1998
Attorney Docket No.: 2292/OH795
For: IMMUNOSUPPRESSION BY
BLOCKING T CELL CO-STIMULATION
SIGNAL 2 (B7/CD28 INTERACTION)

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NOTIFICATION

The above-captioned application is before the Legal Affairs Division of the PCT Legal Office for consideration of issues arising under 35 U.S.C. 371.

BACKGROUND

On 30 April 1999, applicant filed international application PCT/GB99/01350 which claimed a priority date of 30 April 1998. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 11 November 1999. A proper Demand was filed with for International Preliminary Examination prior to the 19th month from the earliest claimed priority date. Accordingly, the thirty-month time period for submitting the requisite basic national fee in the United States of America was extended to expire 30 months from the priority date, i.e. 30 October 2000.

On 30 October 2000, applicant filed a transmittal letter for entry into the national stage in the United States of America. Filed with the Transmittal Letter were, *inter alia*, the requisite basic national fee of \$860, a copy of the international application, and a preliminary amendment.

On 08 April 2001, the United States Designated/Elected Office mailed a Notification of Missing Requirements (PCT/DO/EO/905) requiring submission of an oath or declaration in compliance with 37 CFR 1.497 and the surcharge under 37 CFR 1.492(e).

On 08 May 2001, applicant filed an executed declaration and power of attorney and the surcharge under 37 CFR 1.492(e).

On 06 August 2001, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTIFICATION OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495" (Form PCT/DO/EO/903) which set forth a 35 U.S.C. 371 completion date of 08 May 2001.

DISCUSSION

A review of the application file reveals that the nucleotide and/or amino acid sequence disclosure contained in the application does not comply with the requirement for such a disclosure as set forth in 37 CFR 1.821 -1.825.

CONCLUSION

This application is being forwarded to the United States Designated/Elected Office (US/DO/EO) for continued processing including the issuance of a Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that a sequence listing in compliance with 37 CFR 1.821 -1.825 is required.



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